

PROCEEDINGS OF THE BROWN COUNTY
HUMAN SERVICES COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Human Services Committee** was held on Wednesday, January 22, 2014 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, Wisconsin.

Present: Chair Evans, Supervisor La Violette, Supervisor Hopp, Supervisor Robinson
Excused: Supervisor Haefs
Also Present: Jeremy Kral, Tim Schmitt, Nancy Fennema, Mark Steuer, Tom Sladek, Don Johnson, John Hager, Supervisor Hoyer, Rob Gollman

I. Call Meeting to Order.

The meeting was called to order by Chairman Patrick Evans at 6:00 p.m.

II. Approve/Modify Agenda.

Chair Evans modified the agenda by moving Item 4 to directly follow the report from the Human Services Chair.

Motion made by Supervisor La Violette, seconded by Supervisor Hopp to approve as amended. Vote taken. MOTION CARRIED UNANIMOUSLY.

III. Approve/Modify Minutes of November 26, 2013.

Motion made by Supervisor Hopp, seconded by Supervisor La Violette to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

Comments from the Public. None.

Report from Human Services Chair, Patrick Evans

a. Teen Parent Quarterly Outcome Report, Catholic Charities – Informational.

Chair Evans stated that it appeared that Catholic Charities was doing good work with regard to teen parents.

2. Review Minutes of:

- a. Aging & Disability Resource Center of Brown County Board Meeting (December 10, 2013).**
- b. Aging & Disability Resource Center of Brown County Nominating & Human Resources Meeting (December 10, 2013).**
- c. Children With Disabilities Education Board (December 17, 2013)**
- d. Community Options Program Planning Committee (November 25, 2013).**
- e. Human Services Board (November 14 & December 13, 2013 and January 9, 2014)**
- f. Northeast Wisconsin Family Care Board of Directors (January 8, 2014).**
- g. Veterans Recognition Subcommittee (November 19 & December 17, 2013).**

Motion made by Supervisor Robinson, seconded by Supervisor La Violette to receive and place on file Items 2 a – g. Vote taken. MOTION CARRIED UNANIMOUSLY

Health Department

3. **Budget Adjustment (13-131): Increase in expenses with offsetting increase in revenue.**

**Motion made by Supervisor Hopp, seconded by Supervisor La Violette to approve. Vote taken.
MOTION CARRIED UNANIMOUSLY**

4. **Ordinance re: Amending Section 38(4)(2)(a)(ii) of the Brown County Code entitled "Public Health Nuisance." (Odor Complaints). *Referred from October County Board.***

Chair Evans stated that he had met with Don Johnson from Sanimax and they discussed numerous items and came to an agreement that Sanimax would provide an update at this time as well as quarterly updates hereafter.

Don Johnson thanked the Committee for the opportunity to provide an update. He wished to recap what had been done in 2013 and indicated that they have made some very good progress and wanted to be sure that everyone was aware of that. He continued that they have reduced the odor profile by 61% if 2013 is compared to prior years. There is also a reduction of 50% in the radius of complaints in 2013 when compared to 2012.

Johnson continued that he would like to go over where it is that Sanimax is going from here as they are continuing to improve from where they are at. He recalled that Sanimax had installed a regenerative thermal oxidizer in 2013 to handle the high intensity odors and they are looking to maximize the unit in 2014. Johnson continued that the air collection system currently captures not only high intensity air but also clean air. They intend to seal off the air capture to limit the good air that is captured so they can divert more high intensity air through the system. Consistent with that, when the air that is going through the system is diverted, there has to be a chemical rebalancing as to how each air scrubber is treated and Johnson noted that each air has different quality characteristics from a chemical composition so after they move air it needs to be reanalyzed and treated.

Johnson continued that he believed there were also enhancements that could be done to their ventury system which removes particulus from the air before it goes to the scrubber. Modifications can be made to this system so that it acts like an additional air scrubber.

Finally, the last thing they intend to do in 2014 is implement a battery backup system for their computers. Johnson noted that when they lose power it brings the entire plant down for four hours and it takes at least an hour to reboot their system.

Johnson concluded that Sanimax is dedicated to working with the Committee to continue to improve on the results they have seen in 2013.

Supervisor Robinson questioned the assertion that the odor profile has been reduced by 61% and asked for clarification on this. Johnson responded that they tested the stack emissions from 2012 and compared them to the emissions in 2013.

Alderman Tom Sladek, representing the people of the 12th District of the City of Green Bay, addressed the Committee. He stated that he completely rejects the characterization made by Sanimax that they are making progress. He had provided the Committee as well as the entire County Board with information from the Health Department that clearly shows that over a multi-

year period the amount of verified complaints has risen rather than decreased. Sladek continued that Sanimax is very careful to talk about year to year improvements from 2012 to 2013. By their own admission, 2012 was their worst year ever when they tried a different process with regard to their odor issues. Sladek stated that he met with Sanimax in the fall of 2012 and at that time they acknowledged that they had just come off a horrible summer. The multi-year data that Sladek previously provided shows that there is not a trend of making progress. Sladek said that the problem is not getting any better and, in fact, may be getting worse.

Sladek continued that the Committee voted to take action and gave a recommendation to the Board, however, the Board chose not to deal with it due to a threat from Sanimax of a lawsuit due to a notification issue. The majority of the Supervisors who chose not to deal with the matter that night were doing so because of the threat of legal action by Sanimax but that notification issue has now been resolved and Sladek felt that the people in the neighborhood who have been dealing with the smell deserve an up or down vote now. He felt that the County Board should vote on what they were supposed to vote on back in October as there is no new information from October to now to cause the Board to do anything different. Sladek urged the Committee to decide if they were being misled by Sanimax. He noted that the people in his district want the odor to end and Sanimax saying that they are making remarkable progress is misleading.

Alderman Mark Steuer addressed the Committee. He represents District 10 in the City of Green Bay and reported that there has been an uptick in terms of odor complaints in his area as referred to earlier by Sladek. Steuer stated that he does receive e-mails from Sanimax if something breaks down which he does appreciate, however, there are still issues. He noted that for the people who live in the area where the odor is, it is very difficult to deal with it on a daily basis. He stated that he works at ASPIRO and the smell from Sanimax there is quite prominent. He is not on a witch hunt, but he wants this problem taken care of. He concurred with Sladek in that the Committee said they were going to deal with the issue. Normally when things are handled at the Committee level they then move on to the Board and Steuer felt that it would seem that the least that should be offered is that it would be dealt with by the County Board. He stated that this problem is frustrating and he felt that there should be little or no odor. He has lived here 22 years and has dealt with this odor for that long.

Attorney John Hager addressed the Committee next. Hager is the attorney for Sanimax and he stated that what they are looking for is collaboration and cooperation. He felt that Sanimax has made strides in this regard. He realizes that there are issues but stated that the facts speak for themselves and they have not distorted the facts. He noted that they cannot get to a zero odor profile but they can and have made significant strides and they have spent a lot of money on this issue and will continue to make the best faith efforts. Any innuendo or comments to the contrary by the Committee or other parties is offensive. They will continue to deal with this problem on as transparent of a basis as they can with the best science that they can and the equipment that they are using is the best available. They have different individuals that they have used for consulting issues. As far as the whole idea of what came out of the October County Board meeting, Hager felt the directive was to come back to the Committee with something that would address the problem better than just a simple change to the ordinance. He did not feel that a simple change from three to two complaints will change or address the problem. Sanimax will continue to address this Committee on a quarterly basis and do everything they can and provide every bit of information they can. He also noted that there was

no threat of legal action at the October meeting as alleged earlier but was rather a simple issue of notice.

Public Health Sanitarian Rob Gollman stated that the odor is rated as either present or not present and is not rated on a scale any longer. Robinson stated that he agreed with Sladek that the residents of the affected neighborhood deserve an up or down vote, however, his concern with sending it back to County Board right now is that they will not get the vote unless there is something that clarifies the situation. Robinson continued that Supervisor Van Dyck had provided him some information from St. Croix Sensory in Minnesota who has a device known as a Nasal Ranger that measures odor. Robinson stated his preference is that there be some way to measure the odor so that a verifiable complaint becomes x amount of measure. The difficulty is coming up with the science to do that. He has had a tour of Sanimax and saw how they bag the air and send it off, but he noted that that is at the source. Robinson noted that the County cannot control what Sanimax does but can only control what the County does and he felt that the County's response needs to be that the ordinance is a little more clear. Robinson stated that the Nasal Ranger is about \$1,500 and there would also be some training involved with the device, but his understanding is that it takes a range of ambient air and measures the odor. Robinson would be open to the idea of lowering the number of complaints to two if we can come up with a better measure of what a verifiable complaint is. Robinson continued that he has heard from Corporation Counsel that if this issue would go to court, the vagueness of the ordinance as is currently written decreases the chances that it would be resolved in a way that would satisfy the County. Robinson felt there were certain things that could be put in the ordinance to make it more solid. He would like to direct staff to investigate this further and bring information back to the Committee. Gollman stated that they will definitely look into this further and bring information back to the Committee. Robinson believed that there must be a way out there to measure the odor in some scientific way.

La Violette asked if the Health Department keeps track of who is making the complaints or if each complaint is made by a new person or entity. Gollman stated that there are some repeat complainants and they do keep track of who the complainant is. La Violette stated that she sees that some people or some companies have multiple complaints. She agreed with Robinson in that she would like to see the Health Department find some equipment that could provide a more scientific assessment of the odor. La Violette also thanked Sanimax for their work and stated that she believes they are making a sincere effort with this problem and she believed they will continue to move forward in this regard.

Hopp stated he is in favor of going back to the Board with this and he agreed with Robinson that there needed to be some resolution to this. He felt he was between a rock and a hard place because he staunchly believes that something needs to be done, but he does not believe that throwing out an ordinance would have any impact. He noted that Supervisor Van Dyck's research came up with equipment that may be able to assist in this matter. Ultimately Hopp felt there were two solutions to this matter. First, he mentioned several cities that are taking facilities to court over their smells and this may be an option. Secondly, Sanimax could actually correct the problem. Hopp continued that he has been in contact with an environmental group in Montreal who is facing the same problems that we are and they have recently captured the ear of the President and Chief Operating Officer of Sanimax, Tony Galasso, and they have a meeting scheduled with him in a few weeks. Hopp has shared our information with them as well and has been assured by the group in Montreal that Brown County's situation with Sanimax will be presented to Tony Galasso as well. Hopp is hopeful that something positive comes out of this

meeting. Hopp felt the best opportunity is going to be with whatever this group in Montreal is able to accomplish with Galasso, but in the meantime Hopp felt we should proceed in the manner that Robinson proposed and take another stab at the ordinance with some way to actually measure the complaints.

Robinson agreed with Attorney Hager in that the smell will never go completely away and he understands that and Robinson also indicated that Sanimax is a good business to have in our community. He did note however that there is a need and an ability to reduce the odor. Robinson continued that he also provided the Health Department with some information which talked about different pieces to an ordinance and he noted that the County's ordinance at this time is bare bones and Robinson felt it needed to be fine-tuned.

Gollman stated that he and Health Director Judy Friederichs had a conference with the District Attorney earlier about the ordinance and he felt that from the Health Department's standpoint they are not going to be involved in the drafting of the ordinance as this should be handled by Corporation Counsel. Robinson stated that what he is asking at this time is for Gollman to look into the Nasal Ranger and also to look over the information he provided with regard to ordinances to see if the language would be reasonable. Gollman indicated that they have looked at the Nasal Ranger in the past and they decided that it probably was not the best measurement tool from the research they have done but they will certainly do the research the Committee has asked them to do.

Motion made by Supervisor La Violette, seconded by Supervisor Robinson to have Sanimax come and give progress reports to the Committee on a quarterly basis. Vote taken. MOTION CARRIED UNANIMOUSLY

Human Services Department

5. **Resolution re: On helping families move from homelessness to self-sufficiency. *Referred from November County Board.***

Robinson provided an update on this and stated that the feedback received from the November County Board meeting was that some detail needed to be put into the proposal and that a wider coalition of people should be gathered. At the November, 2013 Human Services meeting a discussion was held regarding not necessarily having a presentation on the issue of people coming from out of town but rather having a presentation to the Board on the issue itself. What has happened since then is that Robinson has been working with people from the HOPE group and two things will take place. One is that on January 30 there will be a meeting of service providers, business people, community activists, individual citizens and elected officials at St. Norbert College. The purpose of the meeting is to start to gather ideas from people as to how to put together a ten year plan. The second piece is that a group of people from HOPE will be at the February County Board meeting to give an update on what is happening with the homeless issue as well as speak about the creation of a ten year plan. In doing those things Robinson felt that we are addressing the concerns raised and odds are pretty good that either in March or after the spring elections, a proposal will come forward asking the County Board to help fund the creation of a ten year plan.

Motion made by Supervisor Robinson, seconded by Supervisor Hopp to hold for one month. Vote taken. MOTION CARRIED UNANIMOUSLY

6. **Resolution re: Reclassification of Position Certified Nursing Assistant Human Services – Community Treatment Center. *Referred from December Executive Committee.***

Robinson stated that he had spoken with Lynn Vanden Langenberg with regard to making pay cuts for people before the wage and comp study is completed. Robinson stated that if further positions come to the Committee for changes in the pay scale, he will suggest that we wait until the wage and comp study is complete as it seems ridiculous to make decisions on individual positions independent of the bigger picture. He would encourage the Executive Committee to postpone until the wage and comp study is done.

Robinson continued that it was his understanding that the lower per hour wage positions are the ones that are above market and upper management are the ones that are lower than market. Decisions as to upper management positions tend to happen when positions are empty. Delaying those decisions until the wage and comp study is done makes sense because it puts it in context.

Motion made by Supervisor Hopp, seconded by Supervisor La Violette to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

7. **Budget Adjustment (13-129): Increase in expenses with offsetting increase in revenue.**

Motion made by Supervisor La Violette, seconded by Supervisor Hopp to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

8. **Executive Director's Report.**

Jeremy Kral provided the Committee with a report that was included in the agenda packet. Kral introduced Nancy Fennema to the Committee. Fennema is the new Director of Community Programs which is the position Kral formerly held. He stated that she has a lot of experience and Kral is very pleased to have her on staff. Fennema provided the Committee with her background and previous experience.

La Violette asked for a status update on the psychiatrist wait list issue. Kral responded that they are currently fully staffed but they have a psychiatry retirement on March 1, however they have an interview to hire to refill that position pending. If the candidate works out there would not be an interruption. Kral stated that they do triage people with urgent needs to be seen immediately and those people are seen within a week or two. There are currently about 300 people on the wait list with various levels of needs. Kral will research this further and provide La Violette with an update.

Kral continued that they have added the APNP that they talked about earlier and this APNP is taking on a case load. They also have inpatient psychiatrists that are being deployed in more outpatient hours on a contract basis. They are doing everything they can to meet the capacity as well as they can. Kral noted there is still one vacancy for an APNP that they are looking to fill. He is confident that their organizational chart is right and when fully staffed all needs will be met.

Robinson thanked Kral for the report and asked when the proposed Mental Health Court will be starting. Kral responded that it depends on the Judge's calendar and the ability to get the position filled. He felt it was likely that they will bring forward a resolution creating the position

next month which would then go to the full Board in March and once approved they would seek to fill the position immediately.

Robinson also asked for an update on the efforts to deal with alcohol holds. Kral stated he would not be prepared to give a report on this at this time, however, he would be happy to report back on this issue next month.

Motion made by Supervisor Hopp, seconded by Supervisor La Violette to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

9. Financial Report for Community Treatment Center and Community Programs.

Tim Schmitt included a written report in the agenda packet.

Robinson thanked Schmitt for the written report and wanted to make sure that he was reading both the written report and the line item report correctly. He continued that as of the end of November it appeared that Community Programs is looking at a variance of \$3 million dollars under budget and CTC is approximately \$1 million dollars over which would leave about \$2 million dollars to the good at the end of November. In looking at the Community Programs fund balance, there is approximately \$6,037,000 spoken for which leaves \$6,230,000 in the account which means there is approximately \$192,000 unspoken for. Schmitt stated that these figures were correct but were subject to change.

Robinson wanted to be clear on this and he appreciated the list of what the fund balance is for. He felt that \$75,000 for homeless issues does not seem unreasonable and he acknowledged that the County Board has to decide what to do with the funds that are left over at the end of the budget. Evans stated that the Board would need to approve the funds. Robinson asked if when that decision comes to the County Board if it would be possible to earmark money to set aside within the fund balance to use for homelessness. Evans stated that would be possible but the funds would need to be approved.

Motion made by Supervisor Hopp, seconded by Supervisor Robinson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

10. Statistical Reports.

- a. Monthly Inpatient Data – Community Treatment Center.
- b. Monthly Inpatient Data – Bellin Psychiatric Center.
- c. Child Protection – Child Abuse/Neglect Report.
- d. Monthly Contract Update.

Motion made by Supervisor Robinson, seconded by Supervisor La Violette to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

11. Request for New Vendor Contract.

Motion made by Supervisor Hopp, seconded by Supervisor La Violette, to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Aging & Disability Resource

12. Fiscal Year to Date Summary Report.

Motion made by Supervisor Robinson, seconded by Supervisor La Violette to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Syble Hopp School – No agenda items.

Veterans Services – No agenda items.

Other

13. Audit of bills.

Motion made by Supervisor Robinson, seconded by Supervisor La Violette to pay the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

14. Such other Matters as Authorized by Law.

Motion made by Supervisor Robinson, seconded by Supervisor La Violette to adjourn at 7:04 p.m. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

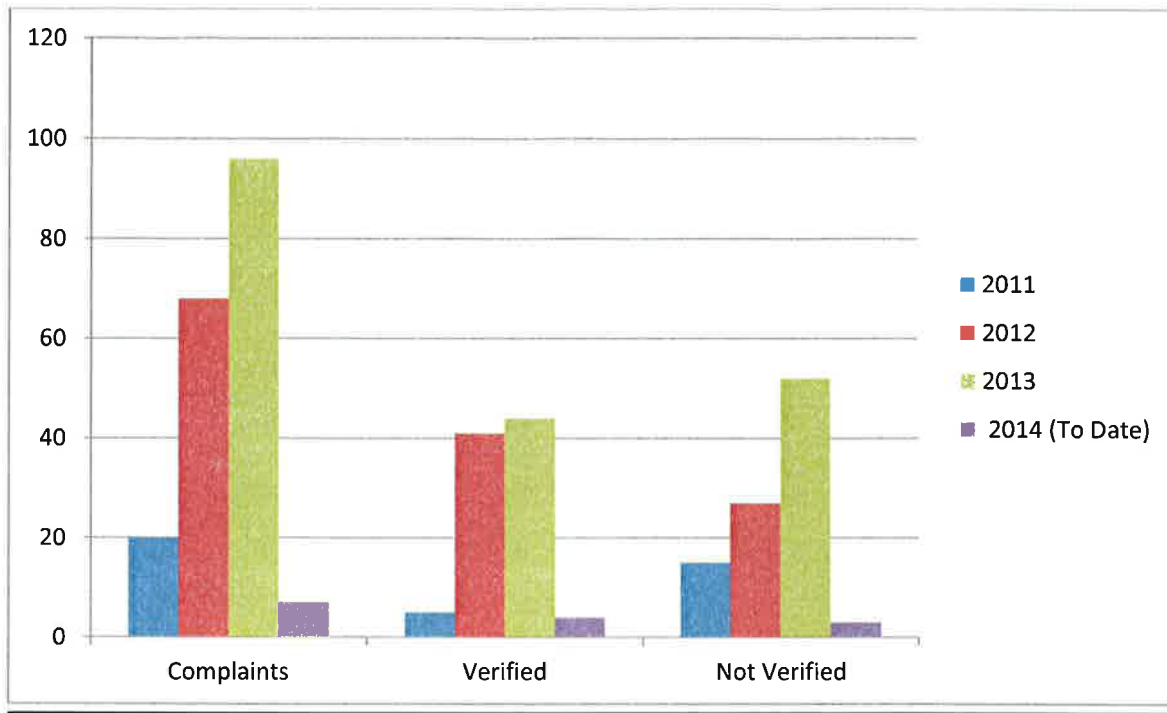
Therese Giannunzio
Recording Secretary

ODOR COMPLAINT DATA

<u>2011</u>	
Sanimax	12
JBS	5
American Foods	2
Other/Miscellaneous	1
TOTAL:	20
<u>2012</u>	
Sanimax	51
Allen Canning	1
JBS	0
Other Miscellaneous (including housing, sewer, unknown)	16
TOTAL:	68
<u>2013</u>	
Sanimax	75
JBS	7
Allen Canning	1
David's Bridal	1
Elite Coatings	1
Tiny Town Child Care	1
Northeast Asphalt	1
Beck's Cabinets	1
Unknown/Other	8
(including residential/ outdoor wood boilers)	
TOTAL:	96
<u>2014</u>	
Sanimax	7
TOTAL:	7

	Total # Complaints	# After Hours Calls	# Verified	# Not Verified	# Citations Under Current Ordinance 3 Verified/ 8 Hours	# Potential Citations With Change to 2 Verified/ 8 Hours
2011	20	0	5	15	0	0
2012	68	1	41	27	0	4
2013	96	11	44	52	2*	5
2014	7	1	4	3	0	0

* 2 citations pending (both Sanimax) issued on 06/11/2013 & 06/21/2013. Issued under the current ordinance where three (3) complaints were verified in an 8 hour period.



PROCEDURE:

Complaint received by phone (email, fax, after hours answering service). Complainant is contacted if from message/answering service after hours.

1. Inspector receives information regarding who offending party is/location.
2. Nature of complaint is recorded.
3. Complainant information: Name/Address/Telephone Number recorded by inspector.
4. Time/Date/Method of reporting recorded.
5. Inspector travels to complainant's property.
6. Inspector notes if odor is present OR no odor. (verified/not verified)
7. Inspector notifies offending party of complaint and whether odor was verified or not verified.
8. Inspector records weather data (wind direction/speed/temperature and time)
9. Complaint is logged and tracked.